

1-1 By: Hall S.B. No. 29  
 1-2 (In the Senate - Filed March 7, 2019; March 7, 2019, read  
 1-3 first time and referred to Committee on State Affairs;  
 1-4 April 3, 2019, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 7, Nays 2; April 3, 2019,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15		X		
1-16	X			
1-17		X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 29 By: Hall

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to the use by a political subdivision of money for lobbying  
 1-22 and certain other activities.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 89.002, Local Government Code, is  
 1-25 transferred to Chapter 556, Government Code, redesignated as  
 1-26 Section 556.0056, Government Code, and amended to read as follows:

1-27 Sec. 556.0056 [~~89.002~~]. LOBBYING ACTIVITIES; ASSOCIATIONS  
 1-28 AND ORGANIZATIONS [~~STATE ASSOCIATION OF COUNTIES~~]. (a) This  
 1-29 section applies to any political subdivision, including a regional  
 1-30 mobility authority, toll road authority, or transit authority.

1-31 (b) The governing body of a political subdivision may not  
 1-32 spend public money or provide compensation in any manner to  
 1-33 directly or indirectly influence or attempt to influence the  
 1-34 outcome of any legislation pending before the legislature. This  
 1-35 subsection does not prevent:

1-36 (1) an officer or employee of a political subdivision  
 1-37 from providing information for a member of the legislature or  
 1-38 appearing before a legislative committee at the request of the  
 1-39 member of the legislature or the committee;

1-40 (2) an elected officer of a political subdivision from  
 1-41 advocating for or against or otherwise influencing or attempting to  
 1-42 influence the outcome of legislation pending before the legislature  
 1-43 while acting as an officer of the political subdivision; or

1-44 (3) an employee of a political subdivision from  
 1-45 advocating for or against or otherwise influencing or attempting to  
 1-46 influence the outcome of legislation pending before the legislature  
 1-47 if those actions would not require a person to register as a  
 1-48 lobbyist under Chapter 305.

1-49 (c) The governing body of a political subdivision  
 1-50 [~~commissioners court~~] may not spend any[, in the name of the  
 1-51 county,] money or provide compensation in any manner to an  
 1-52 association or organization [~~from the county's general fund~~] for  
 1-53 membership fees and dues or for any other purpose unless [~~of a~~  
 1-54 nonprofit state association of counties if]:

1-55 (1) a majority of the governing body [~~court~~] votes to  
 1-56 approve membership in the association or organization;

1-57 (2) the association or organization exists for the  
 1-58 betterment of local [~~county~~] government and the benefit of all  
 1-59 local [~~county~~] officials;

1-60 (3) the association or organization is not affiliated

2-1 with a labor organization;  
2-2 (4) neither the association or organization nor an  
2-3 employee of the association or organization directly or indirectly  
2-4 influences or attempts to influence the outcome of any legislation  
2-5 pending before the legislature~~[, except that this subdivision does~~  
2-6 ~~not prevent a person from providing information for a member of the~~  
2-7 ~~legislature or appearing before a legislative committee at the~~  
2-8 ~~request of the committee or the member of the legislature]; and~~

2-9 (5) ~~[neither]~~ the association or organization does not  
2-10 [nor an employee of the association] directly or indirectly  
2-11 contribute [contributes] any money, services, or other valuable  
2-12 thing to a political campaign or endorse [endorses] a candidate or  
2-13 group of candidates for public office.

2-14 (d) Subsection (c)(4) does not prevent a person from  
2-15 providing information for a member of the legislature or appearing  
2-16 before a legislative committee at the request of the member of the  
2-17 legislature or the committee.

2-18 (e) If a political subdivision engages in an activity  
2-19 prohibited by Subsection (b) or if [~~(b)~~ If] any association or  
2-20 organization supported wholly or partly by payments of money [~~tax~~  
2-21 ~~receipts] from political subdivisions engages in an activity~~  
2-22 described by Subsection (c)(4) [~~(a)(4)~~] or (5), a taxpayer or  
2-23 resident of the [~~a~~] political subdivision that engages in the  
2-24 prohibited activity or that pays fees or dues to the association or  
2-25 organization is entitled to appropriate injunctive relief to  
2-26 prevent any further activity prohibited by Subsection (b) or  
2-27 described by Subsection (c)(4) [~~(a)(4)~~] or (5) or any further  
2-28 payments of fees or dues.

2-29 (f) A taxpayer or resident who prevails in an action under  
2-30 Subsection (e) is entitled to recover from the political  
2-31 subdivision the taxpayer's or resident's reasonable attorney's fees  
2-32 and costs incurred in bringing the action.

2-33 SECTION 2. Section 556.0056, Government Code, as  
2-34 transferred, redesignated, and amended by this Act, applies only to  
2-35 an expenditure or payment of money or provision of some other  
2-36 compensation by a political subdivision that is made on or after  
2-37 September 1, 2019. An expenditure or payment of money or provision  
2-38 of some other compensation by a political subdivision that is made  
2-39 before September 1, 2019, is governed by the law in effect on the  
2-40 date the expenditure, payment, or provision is made, and the former  
2-41 law is continued in effect for that purpose.

2-42 SECTION 3. This Act takes effect September 1, 2019.

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